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(To be used for all correspondence after initial filing)

Total Number of Pages in this Submission: 65

|                      |                   |
|----------------------|-------------------|
| Application No.      | 09/510,905        |
| Filing Date          | February 23, 2000 |
| First Named Inventor | John Thodiyil     |
| Group Art Unit       |                   |
| Examiner Name        | Unassigned        |
| Attorney Docket No.  | SUN-P3992-JTF     |

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## ENCLOSURES (check all that apply)

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Remarks:

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

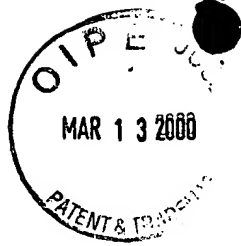
|           |  |           |               |
|-----------|--|-----------|---------------|
| Name      | Daniel E. Vaughan (Registration No. 42,199)      | Date      | March 7, 2000 |
| Signature | <i>Daniel E. Vaughan</i>                         | Telephone | 650/329-1973  |
| Address   | 399 Sherman Avenue, Suite 5, Palo Alto, CA 94306 | Facsimile | 650/329-1893  |

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U. S. Postal Service as ☐ Express Mail (No. EJ xxx yyy zzz US) or ☒ First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on: March 7, 2000

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| Type or Printed Name | Daniel E. Vaughan | Signature | <i>Daniel Vaughan</i> |
|----------------------|-------------------|-----------|-----------------------|

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**PATENT APPLICATION**  
**Attorney Docket No. SUN-P3992-JTF**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Thodiyil.

Application No.: 09/510,905

Filed: February 23, 2000

For: **METHOD AND APPARATUS FOR  
DYNAMIC CLASS-BASED  
PACKET SCHEDULING**

Group Art Unit: *Unassigned*

Examiner: *Unassigned*

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**POWER OF ATTORNEY BY ASSIGNEE  
TO EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 3.71  
WITH REVOCATION OF PRIOR POWERS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The undersigned ASSIGNEE of the entire interest in the above-identified application for letters patent hereby appoints Kenneth Olsen, Registration No. 26,493, Timothy J. Crean, Registration No. 37,116, Robert S. Hauser, Registration No. 37,847, Philip J. McKay, Registration No. 38,966, Joseph T. Fitzgerald, Registration No. 33,881, Alexander E. Silverman, Registration No. 37,940, Christine S. Lam, Registration No. 37,489, Anirama Rakshpal Gupta, Registration No. 38,275, Bernice B. Chen, Registration No. 42,403, Sean Lewis, Registration No. 42,798, Michael J. Schallop, Registration No. 44,319, Kenta Suzue, Registration No. 45,145 and Noreen Krall, Registration No. 39,734 of SUN MICROSYSTEMS, INC., and A. Richard Park, Registration No. 41,241 and Daniel E. Vaughan, Registration No. 42,199 of PARK & VAUGHAN LLP, to prosecute this application and transact all business in the United States and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

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The following evidentiary documents establish a chain of title from the original owner to the Assignee:

X a copy of an Assignment attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or

\_\_\_\_\_ the Assignment recorded on \_\_\_\_\_ at reel \_\_\_\_\_, frames \_\_\_\_\_ - \_\_\_\_\_.

Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

Direct all telephone calls and correspondence to:

Daniel Vaughan  
Park & Vaughan LLP  
399 Sherman Avenue  
Suite 5  
Palo Alto, CA 94306  
(650) 329-1973

ASSIGNEE: Sun Microsystems, Inc.

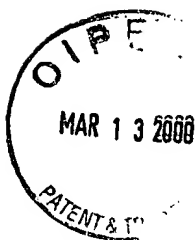
Name: \_\_\_\_\_

(Signature)

Name: Kenneth Olsen

Title: Vice President, Intellectual Property

Date: February 28, 2000



**SOLE TO CORPORATE ASSIGNMENT**

WHEREAS, the undersigned, John A. Thodiyil, (hereinafter termed "Inventor"), having a residence at 1220 N. Fair Oaks Avenue, #4212, City of Sunnyvale, State of California has invented certain new and useful improvements in:

**METHOD AND APPARATUS FOR DYNAMIC CLASS-BASED PACKET SCHEDULING**

and has executed a declaration or oath for an application for a United States patent disclosing and identifying the invention:

X On the 31<sup>st</sup> day of January, 2000;

Or

\_\_\_\_ Said application having Application Number \_\_\_\_\_, and filed on the \_\_\_\_ day of \_\_\_\_.

WHEREAS Sun Microsystems, Inc. a corporation of the State of Delaware, having a place of business at 901 San Antonio Road, Palo Alto, CA 94303 (hereinafter termed "Assignee"), wishes to acquire the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered by said Inventor (hereinafter termed "said invention"), and in and to any and all patents, certificates of invention and other forms of protection thereon (hereinafter termed "patents") applied for or granted in the United States and/or other countries.

NOW THEREFORE, for good and valuable consideration acknowledged by said Inventor to have been received in full from said Assignee:

1. Said Inventor does hereby sell, assign, transfer and convey to said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply in any or all countries of the world for patents, certificates of inventions or other governmental grants on said invention, including the right to apply for patents pursuant to the International Convention for the Protection of Industrial Property or pursuant to any other convention, treaty, agreement or understanding; (c) in and to any and all applications filed and any and all patents, certificates of inventions or other governmental grants granted on said invention in the United States or any other country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications; (d) in and to each and every reissue or extension of any of said patents; and (e) in and to each and every patent claim resulting from a reexamination certificate for any and all of said patents.

2. Said Inventor hereby covenants and agrees to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and other countries. Such cooperation by said Inventor shall include prompt production of pertinent facts and documents, giving of testimony, executing of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for complying with any duty of disclosure; (c) for prosecuting any of said applications; (d) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (e) for filing and prosecuting applications for reissue of any of said patents; (f) for interference or other priority proceedings involving said invention; and (g) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, reexamination proceedings, compulsory licensing proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventor in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this Assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventor, and his or her heirs, legal representatives and assigns.

4. Said Inventor hereby warrants and represents that the inventor has not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventor has executed and delivered this instrument to said Assignee on the date given below.

Date: 01/31/2000

Signed: \_\_\_\_\_

Name: John A. Thodiyil